

*REMARKS/ARGUMENTS**The Present Invention and the Pending Claims*

The claims are directed to derivatives of natural, semisynthetic, and synthetic lipids, in which the derivatives comprise oligomers of ceramides and/or sphingosines. Claims 1-12, 15, and 16 are pending.

Summary of the Claim Amendments

Claim 3 has been amended to recite the phrase “group consisting of” to clarify the Markush group language. Claims 5 and 7 have been amended to delete preferred embodiments. The preferred embodiments have been drafted as new claims 15 and 16, which depend on claims 5 and 7, respectively. Claims 2, 3, 6, and 9-11 have been amended to sharpen the claim language. No new matter has been added by way of these amendments.

Summary of the Office Action

Claims 1, 2, 4, 8, and 12 have been indicated as allowable. Claims 3, 5-7, and 9-11 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Reconsideration of the rejected claims is hereby requested.

Discussion of the Indefiniteness Rejection

Claims 3, 5-7, and 9-11 allegedly are indefinite. Several bases for the rejection have been set forth in the Office Action.

Claim 3 allegedly fails to comply with standard Markush terminology. To clarify the Markush group language, applicants have amended claim 3 to recite “selected from the group consisting of.”

The Office Action objects to claims 5-7 and 9-11 for reciting both broad range and narrow range claim features. The Office Action takes the position that the statement “preferably via the ω -position carbon atom of the fatty acid chain, by a covalent bond” recited in claim 5 further narrows the claim, thereby making it unclear as to which subject matter is encompassed by the claim. The Examiner also objects to the use of the phrase

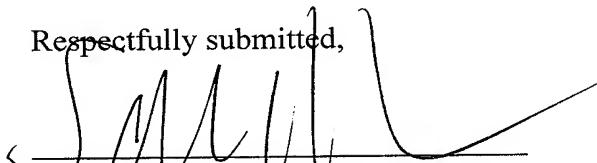
“such as” (e.g.) in claim 11, the use of parenthetical phrases in claims 7 and 11, and the use of the phrase “so called” in claims 6, 9, and 10.

Applicants have deleted language related to preferred embodiments in claims 5 and 7 and redrafted such language in new claims 15 and 16. The term “e.g.,” in claim 11 has been deleted. Applicants have adopted the Examiner’s suggestion and deleted the phrase “so called” from claims 6 and 9. Applicants did not find use of the term “so called” in claim 10; however claim 10 has been amended to sharpen the language regarding the interdimeric spacer.

In view of the claim amendments, the indefiniteness rejection has been overcome, and Applicants request its withdrawal.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

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